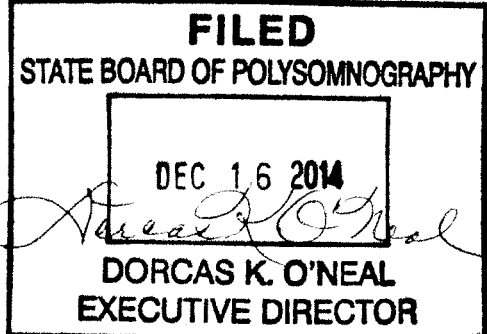


JOHN J. HOFFMAN  
ACTING ATTORNEY GENERAL OF NEW JERSEY  
Division of Law  
124 Halsey Street  
P.O. Box 45029  
Newark, New Jersey 07102  
Attorney for the Board of Polysomnography

By: Virginia Class-Matthews  
Deputy Attorney General  
Telephone (973) 648-3696



STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
Board of Polysomnography

IN THE MATTER OF SUSPENSION  
OR REVOCATION OF THE LICENSE OF

CATHERINE R. FRENCH  
LICENSE NO. 49W00003100

TO PRACTICE POLYSOMNOGRAPHY  
IN THE STATE OF NEW JERSEY

Administrative Action

CONSENT ORDER

This matter was opened to the New Jersey State Board of Polysomnography upon receipt of information which the Board has reviewed and the parties wishing to resolve this matter without further formal proceedings, hereby stipulate to the following facts and conclusions of law.

FINDINGS OF FACT

1. Respondent, Catherine French, is a Polysomnographic Technologist in the State of New Jersey and has been a licensee at all times relevant hereto.

2. On July 8, 2014, Ms. French appeared before the Board to answer questions regarding allegations of unlicensed practice by Estelle Murphy which was received by the Board. Ms. French stated that she was the direct supervisor of Ms. Murphy who was a Polysomnographic technician at the Sleep Disorder Center of Pulmonary Associates which is now part of Holy Name Hospital. Ms. French is the clinical director at this facility. She admitted that she became aware that Ms. Murphy's license to practice had expired however allowed her to continue to work as a technician. She admitted that Ms. Murphy continued to work until Holy Name Hospital became aware that she did not have a current license and suspended Ms. Murphy. Ms. Murphy thereafter obtained her technologist license on May 15, 2014 and was reinstated by Holy Name Hospital after her thirty day suspension from the hospital.

#### CONCLUSION OF LAW

1. The aforesaid findings of fact provide grounds for the suspension or revocation of Respondent's license to practice Polysomnography in New Jersey pursuant to N.J.S.A. 45:1-21 (e) (h) and (n) in that Respondent engaged in professional misconduct as determined by the Board by allowing Ms. Murphy to practice Polysomnography with a license which was expired for more than 30 days.

2. The parties being desirous of resolving this matter without the necessity of formal proceedings, and it appearing that

Respondent, Catherine French, acknowledges that her conduct as previously set forth constitutes grounds for disciplinary action pursuant to N.J.S.A. 45:1-21 (e) (h) and (n), for aiding and abetting an unlicensed person to perform an act for which a license is required by the Board and it further appearing that Respondent has read the terms of this Order and understands their meaning, consents to be bound by same, and it further appearing that the Board finds that the within Order is adequately protective of the public interest and it further appearing that good cause exists for entry of the within Order.

IT IS Therefore, on this *16<sup>th</sup>* DAY OF *December*, 2014  
ORDERED AND AGREED THAT:

1. Respondent's license to practice Polysomnography in the State of New Jersey be and hereby is suspended for a period of six (6) months, except that said suspension shall be stayed and become a period of probation. Such stayed period of suspension shall be activated upon a showing of Respondent's non-compliance with any of the terms and conditions set forth herein.

2. Respondent shall, at her own expense, attend and successfully complete and unconditionally pass the PROBE (Professional Problem Based Ethics) course offered by the Ethics Group, 89 Summit Avenue, Suite 185, Summit, New Jersey 07901, or the PRIME (Professional Renewal in Medicine through Ethics) course offered by the Center for Continuing Education in the Health Professions at UMDNJ-Robert

Wood Johnson Medical School, 97 Paterson Street, Room 124, New Brunswick, New Jersey 08903 or any other course of similar rigor pre-approved by the Board. The cause shall be taken within 90 days of the signing of this Order. Documentation of the full and successful completion of the course shall be provided to the Board within thirty (30) days of its completion.

3. A civil penalty in the amount of one thousand five hundred dollars (\$1,500) shall be assessed against Respondent for her violation of N.J.S.A. 45:1-21(b), (e) (h) and (n). Respondent shall also pay costs in the amount of \$343.00 by certified check, money order, wire transfer or credit card, payable to "State of New Jersey", delivered or mailed to Dorcas O'Neal, Executive Director, State Board of Polysomnography, 124 Halsey Street, P.O. Box 45014, Newark, New Jersey 07101. Payment shall be made contemporaneously upon the signing of this Consent Order.

4. Failure to comply with the provisions of this Order may result in subsequent disciplinary proceedings for failure to comply with an Order of the Board.

NEW JERSEY STATE BOARD OF  
POLYSOMNOGRAPHY

By: 

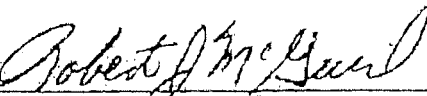
Penni Smith, RPSGT  
Board President

I have read and I understand the terms  
of this Consent Order and agree to  
be bound by it. Consent is hereby  
given to the Board to enter this  
order.

  
Catherine French

12/0/14  
Date

Consented to as to form and entry:

  
Robert J. McGuirl, Esq.  
Attorney for Catherine French